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PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q58461

Hans Berg ANDREASEN, et al.

Appln. No.: 09/509,681

Group Art Unit: 1615

Confirmation No.: 3146

Examiner: Todd Ware

Filed: March 30, 2000

For: A PROCESS FOR PRODUCING AN IRON-DEXTRAN COMPOUND,  
IRON-DEXTRAN COMPOUND PRODUCED ACCORDING TO SAID PROCESS,  
PHARMACEUTICAL COMPOSITION FOR PROPHYLAXIS OR TREATMENT OF  
IRON-DEFICIENCY AND USE OF SAID COMPOUND FOR THE .....

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## RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement issued by the Examiner, Applicant elects to prosecute the invention identified as Group I, corresponding to claims 1-6, 10 and 13-15. However, this election is with traverse in that Applicant submits that claims 7 and 8, which the Examiner included in Group II, should be included in Group I. More specifically, claims 7 and 8 depend from claim 1 and, therefore, by definition relate to the same inventive concept covered by claim 1. More specifically, claim 1 is a generic claim directed to a process of producing an iron-dextran compound without any specific pH requirement. In contrast, claim 7 merely adds additional steps to the process, one of which involves adjusting the pH of the aqueous solution to a value above 10 by addition of a base. It should be noted that claim 1 requires the addition of a base which would have the effect of increasing the pH. The special technical contribution over

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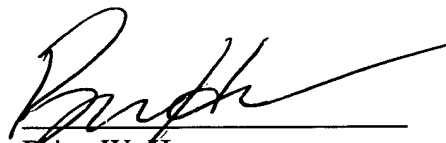
RESPONSE TO RESTRICTION REQUIREMENT  
U.S. Appln. No. 09/509,681  
Our Ref: Q58461

the prior art for both Groups I and II is the particular preparation of the dextran compounds prior to forming complexes with the water soluble ferric salt forming a novel iron dextran compound. It is therefore submitted that Groups I and II are directed to a single inventive complex, so that claims 1-8, 10 and 13-15 should be examined in this application. On the other hand, Applicant does not traverse the Restriction Requirement with respect to Group III and reserve the right to file a Divisional application directed toward this group.

Applicants submit herewith a Preliminary Amendment in which the multiple dependencies of the claims have been removed.

In view of the foregoing, Applicant believes that a complete examination on the merits is now in order. Early and favorable action is respectfully requested.

Respectfully submitted,

  
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**PRELIMINARY AMENDMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Please amend the above-identified application as follows:

**IN THE CLAIMS:**

**Please enter the following amended claims:**

3. (Amended) A process according to claim 1, characterized in that after the hydrolysis, but before being combined with the water-soluble ferric salt, the dextran is purified by one or more membrane separations having a cut-off value suitable for holding back dextran molecules above 2,700 Da, possibly followed by further hydrolysis and one or more membrane separations having a cut-off value between 340 and 800 Da removing the smaller molecules.

*Handwritten initials: B'*